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IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.10179 of 2007

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Rajdeo Prasad

.... Petitioner/s

Versus

Chancellor Of Universities &Or

.... Respondent/s

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with

Civil Writ Jurisdiction Case No.14580 of 2005

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Shashi Shekhar Mishra

.... Petitioner/s

Versus

Kameshwar Singh Snk. University& anor.

.... Respondent/s

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with

Civil Writ Jurisdiction Case No.2292 of 2008

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Md.Islam

.... Petitioner/s

Versus

The Bihar State & Ors

.... Respondent/s

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with

Civil Writ Jurisdiction Case No.3412 of 2008

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Siyaram Singh

.... Petitioner/s

Versus

The State Of Bihar & Ors

.... Respondent/s

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with

Civil Writ Jurisdiction Case No.7261 of 1995

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Krishna Kumar Singh & Ors

.... Petitioner/s

Versus

B.R.Ambedkar Bihar University&

.... Respondent/s

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with

Civil Writ Jurisdiction Case No.15398 of 2006

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Krishnadeo Prasad

.... Petitioner/s

Versus

Magadh University & Ors

.... Respondent/s

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with

Civil Writ Jurisdiction Case No.5110 of 2006

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Shre Ram Sharma

.... Petitioner/s

Versus

The Magadh University & Ors

.... Respondent/s

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with

Civil Writ Jurisdiction Case No.3019 of 2007

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Shobha Rani

.... Petitioner/s

Versus

The State Of Bihar & Ors

.... Respondent/s

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with

Civil Writ Jurisdiction Case No.6647 of 1999

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Abdul Gaffar & Ors

.... Petitioner/s

Versus

The V.C.,Baba Saheb Bhimrao Am

.... Respondent/s

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with

Civil Writ Jurisdiction Case No.10186 of 2007

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Laldeo Prasad

.... Petitioner/s

Versus

L.N.Mithila University & Ors

.... Respondent/s

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with

Civil Writ Jurisdiction Case No.7968 of 2006

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Jagdish Mehta

.... Petitioner/s

Versus

The Magadh University & Ors

.... Respondent/s

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA

ORAL ORDER

13 17-04-2012 Heard counsel for the parties.

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It is very unfortunate experience of this Court that the State Government instead of putting its views on the draft statutes framed by the Chancellor has still been dilly-dallying the matter and after more than two months of receipt of the draft statutes it has now framed a Committee to examine the draft statutes. The speed in which the State Government wants to work in the matter of laying down service condition of Class III and Class IV employees of different Universities of the State would itself speak a volume showing complete negligence on the part of the authorities of the State who have probably forgotten their role in such matter. The State Government has infact hardly any role to play in laying down of service conditions of the employees of the University. The framing of the statutes under Bihar State University Act requires ascertaining the views of the State Government for a very limited purpose, inasmuch as it is the financial aspect of the matter which has to be only examined by the State Government in view of the fact that it has undertaken to meet all the financial obligations for making payment of salary and emoluments of teaching and non-teaching employees of the University and its constituent colleges working against the sanctioned strength. This Court therefore wonders as to how and why it should have been taken more than a period of two months

for the State Government to put its views on the draft statutes framed by the learned Chancellor of the Universitiess.

Mr. Vinay Kirti Singh, learned counsel for the State, has produced a notification dated 10.4.2012 constituting a Committee for examining the draft statutes framed by the learned Chancellor. Such Committee has to submit its report within a fortnight which would mean that the reports have to be submitted positively by 25th April, 2012. The State Government, therefore, must send its views on the draft statute to the Chancellor by 30th April, 2012 failing which the Principal Secretary of Human Resources Development Department would be required to remain present and explain the delay in sending its views on the draft statutes to the learned Chancellor.

Put up this case on 2nd of May, 2012 under the same heading at the same position.

(Mihir Kumar Jha, J)

surendra/-